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Rosanne Kesson
Signature

September 6, 2002

FAX MESSAGE

Send To:

Name: Examiner Cheyne Ly

FAX Number: 703-746-9331

Firm: U.S.P.T.O., Art Unit 1631

Telephone Number: 703-308-3880

From:

Name Michael S. Tuscan, Ph.D.

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Re: Application No. 09/917,800, Title: Molecular Toxicology Modeling
Attorney Ref. No. 44921-5038-US

Dear Mr. Ly:

Please see attached Preliminary Amendment.

Sincerely,

Michael S. Tuscan
Michael S. Tuscan, Ph.D.

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September 6, 2002

PATENT
ATTORNEY DOCKET NO. 44921-5038-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Donna MENDRICK *et al.*

Application No.: 09/917,800

Filed: July 31, 2001

For: **Molecular Toxicology Modeling**

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) Group Art Unit: 1631
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) Examiner: Cheyne Ly
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#10/A
Plunkett
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Commissioner for Patents and Trademarks
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Prior to examination, please amend this application as follows:

IN THE CLAIMS:

Please cancel pending claims 1-54 without prejudice or disclaimer of the claimed subject matter.

Please add new claims new claims 55-86:

55. A method of predicting at least one toxic effect of a compound, comprising:
(a) preparing a gene expression profile from a cell or tissue sample exposed to the compound; and
(b) comparing the gene expression profile to a database comprising quantitative gene expression information from a liver cell or tissue sample that has been exposed to at least one toxin.

56. A method of claim 55, wherein the toxin is selected from the group consisting of